

FICE ALL

State Water Resources Control Board Division of Water Rights Post Office Box 100 Sacramento, California 95812-0100

Estill Ranches LLC, a California limited liability company; Jewell M. Estill, Trustee of the Jewell M. Eştill Living Trust dated November 15, 1983; John B. Estill and Lani L. Estill

### NOTICE OF PLEDGE

Please be notified that the undersigned has executed two deeds of trust in favor of American AgCredit, PCA, covering certain land in Lassen and Modoc Counties, State of California, together with the right to divert water as more fully described under the following Permits:

Application Number	Permit Number	License Number
19499	13769	11130
20508	14284	10866
22765	15497	10407
23125	16008	10512
· ·		
Statement Number		
S003230		
S8776 <del>-</del>		
S9004		
S9005		
S9006		
S9007		
S9008		
S9009		
S9010		
S9011		
S9012		
S9013		
S9014		

TOGETHER WITH any and/or all water and water rights, all ditch and ditch rights appurtenant to the above described property, including but not limited to the right to divert 600 inches of water from Bare Creek as described in a notice dated May 9, 1872, claimed by Thomas Bare and recorded May 11, 1872 in the official records of Modoc County, California, page 2, Book A Water Rights.

Said above referenced permits were issued by the State Water Resources Control Board Division of Water Rights, which said deeds of trust are given to secure a promissory note dated February 11, 2008.

P.O. Box 550 Alturas, CA 96101 403 E. Highway 395 Alturas, CA 96101 Phone 530.233.4304 Fax 530.233.3124 www.agloan.com

Please file this notice with your records of the above-numbered permits, and direct one copy of any correspondence which could materially affect the beneficiary's security interest to American AgCredit, PCA, at 403 East Highway 395, Alturas, California 96101.

Dated this, 11th day of February, 2008.

<u>.</u>
Estill Ranches, LLC, a California limited liability
company /
i h
By:
John B. Estill, Manager)
By: bewell M. Escel
Jewell M. Estill, Manager
i $l$ $-1$ $= 0$
By: South Still
Lan L. Estill, Manager
Chain L. Estin, Managor
John B. Estill
10 10 10
Karl Will
Lani L. Estill
(Livell M. Stiel Trustes
Jewell M Fstill Trustee of the Jewell M. Estill Living

Receipt of the Notice of Pledge, of which this is a copy, is acknowledged. A Notation of the Association's interest in the referred to Pledge has been made in the records of the Office of the Water Resources Control Board, Division of Water Rights. The undersigned hereby acknowledges the return of the original Notice of Pledge to the above named American AgCredit, PCA.

4-30-08

Trust dated November 15, 1983

(Date)

(Signature & Title)

# State of California, State Water Resources Control Board Division of Water Rights P.O. Box 2000, Sacramento, CA 95812-2000 Info: (916) 341-5300, FAX: (916) 341-5400 Web: <a href="http://waterrights.ca.gov">http://waterrights.ca.gov</a>

2002, 2003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

Please Compilete and Return This Form by JULY 1, 2005. \*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

2000 JUL -1 PHIZ: 23

Owner of Record: ESTILL RANCHES LLC;

Source Name:

ST-SUPPL (1-05)

The WEAR

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: **ESTILL RANCHES LLC DBA BARE RANCH PO BOX 655** EAGLEVILLE, CA 96101

Unnamed Spring (3)

STATEMENT NO.: \$008776 CONTACT PHONE NO.: (530)779-6211

**TULEDAD CREEK** Tributary To: Year of First Use: County: Lassen SW1/4 of NW1/4 Section 30, T37N, R17E, MB&M Parcel Number: Pre-1914 right \_ Water is Used Under: Riparian claim \_ Other (explain): Year of First Use: (Please provide if missing above) Amount of Use: Enter the amount (or the approximate amount) of water used each month, using the table below. Amounts below are in: Gallons Million Gallons (MG) Acre-feet (AF) Other Mar Year Jan Feb Apr May June July Aug Oct Nov Dec Total Sept Annual 1.0 7.0 1.0 1.0 10 1.0 1.0 <u>Purpose of Use</u> – Specify number of acres irrigated, stock watered, persons served, etc. Stockwatering 200 head of Cattle Domestic Other (specify) <u>Changes in Method of Diversion</u> – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) Please answer only those questions below which are applicable to your project. Conservation of water Are you now employing water conservation efforts? YES Describe any water conservation efforts you have initiated: If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved: Reduction in Diversions: \_(AF/MG) Year (AF/MG) Year Reduction in consumptive use: \_(AF/MG) Year \_ (AF/MG) Year \_\_\_ , I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_ \_ NO \_

Page 1 of 2

		ter quality and		•					
	∙a.	Are you now a degree whi	or have you bee th unreasonably	en using reclaimed way affects such water f	ater from a wastew or other beneficial	rater treatment facility, deuses? YES NO _	esalination facility of	r water polluted I	by wa
	b.					desalinated water or pollo ow amounts of reduced of			
		Amount of re Year	duced diversion:	: (AF/MG) Year	· · · · · · · · · · · · · · · · · · ·	(AF/MG) Year	· · · · · · · · · · · · · · · · · · ·	(AF/MG)	
		State the type	of substitute w	ater supply:				<del></del>	
			bstitute water su			(AF/MG) Year		_(AF/MG)	
		I have data to	support the ab	ove surface water us	e reductions due to	the use of a substitute	water supply. YES	NO	
3.	Cor	njunctive use o	surface water a	and groundwater					
	a.	Are you now	using groundwa	ter in lieu of surface	water? YES	_ NO <u>X</u> .	•	•	
	b.	If you are cla	ming credit due		groundwater for a	claimed pre-1914 appro	priative right under	section 1011.5 c	f the
		Vear		(AF/MG) Year		(AF/MG) Year		(AF/MG)	
		I have data to	support the abo	ove surface water us	e reductions due to	o the use of groundwater	YES NO	·	011
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A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the riatural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An <u>appropriative right</u> is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California, State Water Resources Control Board Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000 Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

### SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

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Please Complete and Return This Form by September 1, 2003. \*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: J R SIMPLOT COMPANY:

Estill Ranches 2.L.C.



2003 SEP - 2 AM 11: 10

DV UT WATER RIGHTS SACRAMENTO

STATEMENT NO.: S008776 CÖNTACT PHONE NO.: (208)336-2110

FOR ONLINE REPORTING AT www.waterrights.ca.gov

USER NAME: S008776 PASSWORD: D15905

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

JRSHMPLOT COMPANY ESTILL Ranches L.L.C. JR SIMPLOT COMPANY DBA Bare Ranch

DBA BEAR RANCH PO BOX 27

**BOISE, ID-83707** 

Unnamed Spring (3)

Source Name: **Tributary To:** 

TULEDAD CREEK

County:

Diversion Within:

Lassen

SW1/4 of NW1/4 Section 30, T37N, R17E, MB&M

Year of First Use: 1900 Parcel Number:

Water is used under: Riparian claim \_ Pre 1914 right Other (explain); 

P.O. BOX 655

Eagleville, CA 96110

Amount of Use - Enter the amount (or the approximate amount) of water used each month.

	•	Amounts	below are	Ga	llons	Acre-feet			Other_				
Year	Jan	.Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2000	110	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	12.0
2001	1.0	1.0	1.0	1.0	1.0	1.0	1.0	7.0	1.0	1.0	1.0	1.0	12.0
2002	1/10	1.0	1.0.	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.6	1.0	12.0

2001	1,/.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	110	12.0	
2002	1/10	1.0	1.0.	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.6	1.0	12.0	
Purpos	e of Use - Spe	cify numbe	r of acres	irrigated, s	stock wate	red, perso	ons served	, etc.	.,					
	specify)										:			
ningano	"		14		144		<u> </u>	_		·				
	•.													_
Change	es in Method o	f Diversion	- Describ			ur project	since you	r previous	statement	was filed.	(New pur	mp, enlarg	led diversion	
	L.			No	NE				<del></del>					
Please	answer only th	nose questi	ions below	which are	applicabl	e to your	project.							
	nservation of				.,									
1. Co a.	Are you no	w employin	g water co	onservation	n efforts?	YES	NO_X							
	Describe a	ny water co	nservation	n efforts yo	ou nave in	itiated:			<del></del>					_
•.			•.											-
b.	If credit tow	ard benefic	cial use of	water und	er claimed	d pre 1914	appropria	tive wate	r right for w	ater not us	sed due to	a conser	vation effort is	
	claimed un	der section	1011 of th	ne Water C	ode, plea	se show t	he amoun	ts of wate	r conserved	ı:				
	Reductions	in Diversion	ons:											
	yr_			_ (af/mg)	yr			(af/m	g) yr			(af/i	mg)	
	Reductions													
	•		•					/	->			(af/	ma)	
	yr			_ (af/mg)	yr			(at/m	g) yr	<del> </del>		(ai/	· · · · · · ·	,
	I have data	to support	the above	e surface v	vater use	reductions	due to co	nservatio	n efforts. Y	ES N	10		OCT - 9	
SHPPL (	6-03)													

2.	Wat	ter quality and wastewater reclamation
	a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES NO
	b.	If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:
		yr (af/mg) yr (af/mg) yr (af/mg) have data to support the above surface water use reductions due to wastewater reclamation. YES NO
3.	Con a.	Are you now using groundwater in lieu of surface water? YES NO
	<b>b</b> .	If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:
		yr (af/mg) yr (af/mg) yr (af/mg) yr (af/mg)  I have data to support the above surface water use reductions due to conjunctive use efforts. YES NO
:	decla	rstand that it may be necessary to document the water savings claimed. "F." above if credit under Water Code sections 1010 and 1011 is to the future.  The that the information in this report is true to the best of my knowledge and belief.  B-Z-S  20 0 3 at B-3 Ranch  California  ATURE:
ı	PRINT	ED NAME: FOR N
(	COMP	(first name) (middle init.) (last name)  PANY NAME: EST: 11 Ranches L.C.
1	TEM	If there is insufficient space for your answers, please use the space provided below.  CONTINUATION
-	<del></del>	
•		
		GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov"

### State of California State Water Resources Control Board DIVISION OF WATER RIGHTS

P.O. Box 2600, Sacramento, CA 95812-2000 Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

### SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

### PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

OWNER OF RECORD: J R SIMPLOT COMPANY

J R SIMPLOT COMPANY DBA BEAR RANCH PO BOX 27 BOISE, ID 83707

SOURCE: UNSP (3)

STATEMENT NO: S008776



	TRIBU	TARY T	O: TULE	EDAD CF	REEK		•					PHONE N		American Company
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	WIT	HIN: S	W¼ OF N	W¼ SEC	TION	30, T3	7N, R	17E, M	B&M.		PARCE	EL NO:		N)
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Α.	Water is u	<u>ısed under</u>	: Riparian d	claim		Pre	: 1914 righ	nt	<u> </u>	_ Other (	explain); _		7	
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C.			ter the amo	unt of wate	r used ea	ich month.	. If month	ly and anr	nual use a	re not knov	wn, check	the months		<b>N</b>
	which wat	er was use	ed		•	25							S	
			Amounts	below are	. Ga	illons	;	Acre-feet		Other				
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	1999	X	X	X	X	X	X	X:	X	X	Х	X	X	
			of Diversion am, location None			nges in yo	our project	since you	ir previous	s statemen	t was filed	. (New pu	mp,	· •
F.	Please an	swer only t	hose quest	ions below	which are	e applicab	le to your	project.		•				
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		servation of	r water ow employir	na water co	nservatio	n efforts?	VES	NO:						
•		Describe a	iny water co	onservation	efforts y	ou have in	itiated:			**				
	,													<del></del>
	b!	If credit to	ward benefi	cial use of	water und	ter claime	d pre 1914	4 appropri	ative wate	r right for y	water not u	ised due to	a conser	vation effort is
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		I have data	a to support	the above	surface v	water use	reductions	due to co	nservatio	n efforts. `	YES 1	NO		./

ST-SUPPL (2-00)

2.	Wat	er quality and wastewa	ter reclamation		;		
	ą.	Are you now or have a degree which unrea	you been using reclaimed v sonably affects such water	water from a wastev r for other beneficia	vater treatment facility, ouses? YES NO	lesalination facility or v	water polluted by waste to
	b.		nder a claimed pre 1914 ap of appropriated water is cla med water used:				
		19 I have data to support	(af/mg) 19 the above surface water u	use reductions due t	(af/mg) 19 o wastewater reclamatio	on. YES NO	(af/mg)
3.	Con	junctive use of surface	water and groundwater				•
	ą.	Are you now using gro	oundwater in lieu of surface	e water? YES	_ NO		
	<b>b</b> .	If credit toward use ur claimed under section	nder a claimed pre 1914 ap 1011.5 of the Water Code	opropriative right thr e, please show the a	ough substitution of groumounts of groundwater	undwater in lieu of app used:	ropriated water is
		19 I have data to support	(af/mg) 19 the above surface water u	use reductions due t	(af/mg) 19_ o conjunctive use efforts	s. YES NO	(af/mg):
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P	RINT	ED NAME:	Ronald	<del>*************************************</del>	N.	Graves	
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ST-SUPPL (2-00)

March 22, 2000

State of California State Water Resources Control Board Division of Water Rights PO Box 2000 Sacramento, CA 95814-2000

RE:

Supplemental Statements of Water Diversion and Use

Gentlemen:

Enclosed are the completed Supplemental Statements of Water Diversion and Use numbered 008776 and 009014 through 009014 inclusive for the years 1997, 1998 and 1999.  $\mathcal{G}00^4$ 

Sincerely,

Shirley Wilkerson

Land & Development

**Enclosures** 

V900

Bringing Earth's Resources to Life

STHOU FETAN 70. VIII OTNEKAROAZ 00 HER 28 PM 4: 20 COMPANY SERVICES



May 30, 1997

State of California
State Water Resources Control Board
Division of Water Rights
PO Box 2000
Sacramento, CA 95812-2000

RE: Supplemental Statements of Water Diversion and Use

Gentlemen:

Enclosed are the completed Supplemental Statements of Water Diversion and Use numbered 008776 and 009004 - 009014 inclusive.

Sincerely,

Vic Conrad Associate, Simplot Land & Development

Enclosures

Bringing Earth's Resources to Life

#### STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS P.O. BOX 2000, SACRAMENTO, CA 95812-2000 (916) 657-2170

### SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

### PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1997

OWNER OF RECORD: J R SIMPLOT COMPANY DBA BEAR RANCH

J R SIMPLOT COMPANY DBA BEAR RANCH P O BOX 27 BOISE, ID 83707

SOURCE: UNSP (3)
TRIBUTARY TO: TULEDAD CREEK
COUNTY: LASSEN
DIVERSION

STATEMENT NO: S008776



TELEPHONE NUMBER:

(208) 336-2110 YEAR OF FIRST USE: 1900

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See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

J.R. Simplot Company

WR 40-1

COMPANY NAME:

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There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same water shed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

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Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

## STATE WATER RESOURCES CONTROL BOARD **DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

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<sup>&</sup>quot;Appropriation of Water in California"



April 8, 1994

State of California
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Supplemental Statements of Water Diversion and Use.

Gentlemen:

Please find enclosed Supplemental Statements of Water Diversion and Use numbered 008776 and 009004-009014 inclusive.

Sincerely,

Vic Conrad Associate, Simplot Land & Development

**Enclosures** 

## STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322,4503 TE-WATER RESOURCES
(916) 32 4+5 6 76 TETRO SACRAMENTO
SUPPLEMENTAL STATEMENT OF WATER DIVERSION 2AND USE

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June 25, 1991

State of California State Water Resources Control Board Division of Water Rights P.O. Box 2000 901 P ST. Sacramento, CA 95814

Re: Supplemental Statements of Water Diversion and Use.

### Gentlemen:

Please find enclosed Supplemental Statements of Water Diversion and Use numbered 008776 and 009004 - 009014 inclusive.

Sincerely,

Vic Conrad

Associate, Simplot

Land and Development

Enclosures.

Bringing Earth's Resources to Life

STATE WATER RESUIRCES

1901 JUN 26 PM 3-20

DIV. OF WATER RIGHTS SACRAMENTO



January 25, 1988

State of California State Water Resources Control Board Division of Water Rights P.O. Box 2000 Sacramento, CA 95810

RE: Statements of Use

Gentlemen:

Enclosed are Statements of Use numbered 8776 and 9004-9014 inclusive.

1

Sincerely,

BRUCE L. BELZER

Assistant General Counsel

0998v

Enclosures

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# STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

# P.O. BOX 2000 SACRAMENTO, CA 95810 901 P ST. SACRAMENTO, SOURCES (916) COM ESOURCES (916) COM ESOURCES SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

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WR 40-1 (11/85)

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### STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

STATEMENT OF WATER DIVERSION AND USE

CONTROL BOARD

The statement should be transmitted as facility sortion in tal. May 17 9 56 AM '76

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Type of diversion facility: grading.  thod of measurement: wair	pump, electric used for) lace of use (use 900	power miles_	od grid on	errofest  where, estimates  where side if y  new ping  96101	e e e e e e e e e e e e e e e e e e e